

### **REMARKS**

Claims 1, 2, 4, 5, 8, 9, 11 and 12 are pending and under consideration in the above-identified application. Claims 3, 6, 7, 10, 13 and 14 were previously cancelled.

In the Office Action of March 21, 2011, claims 1, 2, 4, 5, 8, 9, 11 and 12 were rejected.

With this Amendment, no claims are amended.

#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1, 2, 4, 5, 8, 9, 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamada* et al. (US 7,102,282). Applicant respectfully traverses this rejection.

In relevant part, each of the independent claims 1, 2, 8 and 9 recite a first electrode and a second electrode, both of which reflect light outside light at substantially the same strength and approximately inverted phases.

This is clearly unlike *Yamada* which fails to disclose this feature. Instead, *Yamada* discloses a first electrode made of “a light reflective material” and a second electrode made of “a transparent material.” See, U.S. Pat. No. 7,102,282, Col. 7, l. 1-21 (emphasis added). This cannot be fairly viewed as disclosing a first electrode and a second electrode that both reflect light outside light at substantially the same strength and approximately inverted phases because the *Yamada* only discloses the first electrode reflecting light.

In the Office Action of March 21, 2011, the Examiner incorrectly asserts that “col. 7-8 lines 49-5 describe the first and second electrode materials (refractive index) and thicknesses are chosen such that the phase portion of the disclosed formula is satisfied.” By making this assertion, the Examiner is reading more from *Yamada* than *Yamada* discloses. *Yamada* only discloses a first electrode made of light reflective material and a second electrode made of a transparent material. See, U.S. Pat. No. 7,102,282, Col. 7, l. 49-61. It is unclear how one having

ordinary skill in the art could possibly interpret a transparent material as reflecting light at substantially the same strength as a reflective material when a transparent material does not reflect light.

As the Applicant's specification teaches, by providing a first electrode and a second electrode that both reflect light outside light at substantially the same strength and approximately inverted phases, reflection of outside light is reduced and image quality is improved. See, U.S. Pat. Pub. No. 2004/0156405, Para [0053]-[0056].

Therefore, because *Yamada* fails to disclose or even fairly suggest all of the features of claims 1, 2, 8 and 9, the rejection of claims 1, 2, 8 and 9 cannot stand. Because claims 4, 5, 11 and 12 depend either directly or indirectly from claims 1, 2, 8 and 9, they are allowable for at least the same reasons as claims 1, 2, 8 and 9.

## **II. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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